

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

PAUL REYNOLDS, SR.,

Plaintiff,

v.

ARMSTRONG TRANSPORTATION SERVICES  
LLC, JERRY ARMSTRONG, BENCHMARK  
INSURANCE COMPANY, AND JOHN DOES  
(1-5),

Defendants.

CIVIL ACTION FILE  
NUMBER

**DEFENDANTS ARMSTRONG TRANSPORTATION SERVICES, LLC, JERRY  
ARMSTRONG, AND BENCHMARK INSURANCE COMPANY'S NOTICE OF REMOVAL**

1.

Plaintiff filed civil action number 23-A-3029 July 14, 2023 against Defendants Armstrong Transportation Services, LLC, Jerry Armstrong, and Benchmark Insurance Company in the State Court of Cobb County, Georgia. Defendants attach copies of the Summons and Complaint for Damages as Exhibit "A" and their Answer as Exhibit "B."

2.

Plaintiff was a citizen and a resident of Georgia when he filed the Complaint for Damages. Para. 8, Exhibits "A" and "B".

3.

Defendant Armstrong Transportation was a North Carolina limited liability company with its principal place of business in

North Carolina, and all its members were citizens and residents of North Carolina when Plaintiff filed the Summons and Complaint. Para. 1, Exhibits "A" and "B".

4.

Defendant Armstrong was a citizen and was domiciled in North Carolina when Plaintiff filed the Summons and Complaint for Damages. Para. 3, Exhibits "A" and "B".

5.

Defendant Benchmark was a Kansas corporation with its principal place of business in Minnesota when Plaintiff filed the Summons and Complaint for Damages. Para. 2, Exhibits "A" and "B".

6.

There is complete diversity of citizenship in this case.

7.

This personal injury action arises from an August 21, 2022 motor vehicle collision and Plaintiff claims personal injuries, medical expenses, pain and suffering, lost wages, mental anguish, disfigurement, disability, and past and future medical expenses in excess of \$273,095.57. Paras. 40 to 42, Exhibit "A". Therefore, the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

6.

This civil action is properly removable to this Court under 28 U.S.C. §§ 1441(a), 1446(a) and 1446(b). In accordance with 28 U.S.C. § 1332(a), the parties have complete diversity of citizenship and the amount in controversy, exclusive of interest and cost, exceeds \$75,000.00.

7.

All named Defendants consent to the removal of this civil action.

8.

Defendants Armstrong Transportation, Armstrong, and Benchmark notify the Court, the Clerk, and all parties within thirty days after service and receipt of the Summons and Complaint for Damages filed in the State Court of Cobb County that they removed this civil action to this Court under 28 U.S.C. § 1446 and Fed. R. Civ. P. 11.

DENNIS, CORRY, SMITH & DIXON, LLP

/s/ Grant B. Smith

GRANT B. SMITH, ESQ.

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For the Firm

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Transportation Services, LLC,

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